

## REMARKS

The Office Action dated September 28, 2005, has been carefully reviewed and the following remarks are submitted in response thereto. Reconsideration of pending claims 1 and 3-19 is respectfully requested.

The rejection of claims 1 and 3-11 under 35 USC 103(a) as being unpatentable over Davis in view of Poppema is respectfully traversed. Claim 1 concerns a motor vehicle window assembly having a pair of spaced-apart stationary windows creating an opening, a pair of spaced apart guide rails each defining a channel, a moveable window slidably received within the channels to selectively cover the opening in a closed position and selectively uncover the opening in an open position, and a vent screen having a retraction device and a screen panel.

The retraction device is connected to a first end of the screen panel and is adapted to automatically spool the screen panel. The screen panel further includes a second end attached to the moveable window whereby displacement of the moveable window from closed to open causes the screen panel to be extended over the opening, and whereby displacement of the moveable window to a closed position allows the screen panel to be spooled by the retraction device. The retraction device is supported by and mounted to and between the guide rails adjacent to the side portion of one of the stationary windows.

Davis teaches slidable windows and screen members in the form of rigid panels that slide in tracks over an opening. In all embodiments shown by Davis, the slidable window and the screen member can slide independently (i.e., they are or can be unattached). In the embodiment of Figures 5 and 6, the slidable window and the screen member can additionally be attached to move cooperatively as a single unit (col. 3, lines 57-60).

Poppema teaches a screen door assembly as opposed to having anything to do with a window. Upper and lower brackets above and below the door opening guide the screen as it is opened and closed. There is no slidable window or any other panel that

moves through the brackets besides the screen, i.e., the screen traverses the full length of the brackets (tracks) between both sides of the door frame.

In contrast, the track in Davis must extend beyond both edges of the opening between the side windows because the rigid-framed panels of the screen and sliding window must slide past the opening to cover the side windows (i.e., when the other one of the screen or the sliding window covers the opening). The rails for implementing the claimed invention perform in an entirely different manner than either of Davis or Poppema. In Davis, the track must remain open and traversable at each edge of the opening to allow panels to slide past. In Poppema, the track ends at each end of the opening. Therefore, the combination of Davis and Poppema fails to either teach or suggest the window assembly of claim 1.

In addition to the failure of the combination to suggest the claimed limitations, motivation to combine the references is lacking. Poppema teaches a door which has a fixed width and is not intended to accommodate tracks that extend beyond the opening of the door frame. The screen in Poppema is the only thing that moves in the track and it moves independently of any other closure. Since Davis relies on panels sliding past each edge of the opening, there is nothing suggestive of incorporating any teaching of Poppema into Davis. Thus, claim 1 and its dependent claims 3-11 are allowable over the cited references.

Claim 12 recites limitations similar to claim 1 and is allowable for the same reasons. Claims 13-19 are allowable as depending from an allowable claim.

In view of the foregoing amendment and remarks, claims 1 and 3-19 are now in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark L. Mollon", written over a horizontal line.

Mark L. Mollon  
Attorney for Applicant(s)  
Reg. No. 31,123

Dated: November 7, 2005  
MacMillan, Sobanski & Todd, LLC  
One Maritime Plaza, Fourth Floor  
720 Water Street  
Toledo, Ohio 43604  
(734) 542-0900  
(734) 542-9569 (fax)